

ARTICLE

Political Thought and the Emotion of Shame: John Stuart Mill and the Jamaica Committee during the Governor Eyre Controversy

Jake Subryan Richards 

Department of International History, London School of Economics and Political Science
E-mail: jake.subryan.richards@gmail.com

(Received 21 March 2018; revised 27 June 2018; accepted 14 October 2021)

This article argues that the emotion of shame explains how John Stuart Mill and the Jamaica Committee developed intellectual arguments in response to the brutal suppression by Governor Edward Eyre of the Morant Bay rebellion in post-emancipation colonial Jamaica in 1865. Positioning the emotions as integral to cognitive systems, the article traces Mill and the committee's arguments against their opponents, the Eyre Defence Committee. The Jamaica Committee was not solely concerned with liberal imperial order. Instead, under Mill's leadership, the committee sought to reconstruct and defend the pre-rebellion political culture that freedpeople in Jamaica had developed. The committee also demonstrated the illegality of martial law. There were, nonetheless, differences between Mill and other committee members, including Charles Buxton and Frederic Harrison. Shame, the emotion experienced when a subject fails to meet the values to which they are attached, helps to explain these differences. Shame also helped to generate the possibility of reforming the colonial political relationship.

Introduction

On 7 October 1865, disorder broke out in the Morant Bay Court House in south-eastern Jamaica. James Geoghagan, an observer in court, had disrupted proceedings by claiming that a defendant should not have to pay the court costs. When the judge ordered Geoghagan's arrest, his sister, Isabella, and an armed group defied the police and rescued James.¹ This confrontation in the parish of St-Thomas-in-the-East precipitated a rebellion.² On 11 October, Paul Bogle, a Native Baptist deacon, led a group march on the town of Morant Bay. The group took weapons from the police station and killed and wounded targeted individuals.

¹Mimi Sheller, *Citizenship from Below: Erotic Agency and Caribbean Freedom* (Durham, NC and London, 2012), 82.

²One could reasonably call the events in Morant Bay a "rising" or "uprising" as well as a rebellion. "Rebellion" and "disturbances" were terms used at the time. The actions, protests, and violence were certainly more coordinated than "disturbances" and the term "rebellion" encompasses the idea of collective action against the colonial state. I use the terms "rebellion" and "uprising" interchangeably throughout the article.

© The Author(s), 2022. Published by Cambridge University Press. This is an Open Access article, distributed under the terms of the Creative Commons Attribution licence (<https://creativecommons.org/licenses/by/4.0/>), which permits unrestricted re-use, distribution, and reproduction in any medium, provided the original work is properly cited.

The Morant Bay rebellion was the most radical political response to deteriorating economic, political, and social conditions in the British colony of Jamaica over the preceding thirty years.³ Following metropolitan legislative emancipation of enslaved people in 1833 and the ending of compulsory apprenticeship in 1838, many freedpeople left sugar plantations. They developed their own agricultural practices in “free villages” on land they purchased with missionary supervision, on waste land, and on land held with customary rights. Freedpeople also joined the urban workforce, including in construction and petty trade. Former slaveholding plantation owners and colonial administrators did not view unpropertied black and mixed-race freed laborers’ choices as legitimate. Such choices undermined large-scale sugar cultivation by bonded labor, which had been the mainstay of an economic system that had produced entrenched inequalities and which enslaved people had resisted for generations.

To suppress the rebellion, Governor Edward Eyre acquired wide-ranging powers from the local legislature, the House of Assembly, and declared martial law. Governor Eyre used martial law to suppress the rebellion by 20 October 1865, nine days after the initial uprising.⁴ Three days later, he authorized the trial by court martial of a prominent political opponent, George William Gordon, on the charge of high treason. Under martial law, military and naval officers rather than a jury of Gordon’s peers would decide his fate. There was no evidence that Gordon had been involved in the rebellion, but he was found guilty and executed. The authorities engaged in widespread extrajudicial violence, executing at least 439 people, flogging thousands, and burning down many homes.⁵

In Britain, Eyre’s brutal suppression of the rebellion provoked the formation of rival public campaigns. Between 1866 and 1868, the Jamaica Committee, chaired by Charles Buxton MP and then by John Stuart Mill MP, gained support from liberals and radicals such as Frederic Harrison, Goldwin Smith, and Charles Darwin. The committee attempted to prosecute Eyre for murder and malfeasance in public office, and two members of Gordon’s court martial, Alexander Nelson and Herbert Brand, for murder.⁶ The Eyre Defence Committee, led first by Thomas

³There is extensive analysis of the events in Morant Bay. For a selection, see Gad Heuman, *“The Killing Time”: The Morant Bay Rebellion in Jamaica* (London and Basingstoke, 1994); Mimi Sheller, *Democracy after Slavery: Black Publics and Peasant Radicalism in Haiti and Jamaica* (Gainesville, 2000); Philip D. Curtin, *Two Jamaicas: The Role of Ideas in a Tropical Colony, 1830–1865* (1955) (New York, 1975); Don Robotham, *“The Notorious Riot”: The Socio-economic and Political Base of Paul Bogle’s Revolt* (Mona, Kingston, Jamaica, 1981); Swithin Wilmot, “The Politics of Samuel Clarke: Black Political Martyr in Jamaica 1851–1865,” *Jamaican Historical Review* 19 (1996), 17–29; Catherine Hall, *Civilising Subjects: Metropole and Colony in the English Imagination, 1830–1867* (Cambridge, 2002). For the broader context in Jamaica see Thomas C. Holt, *The Problem of Freedom: Race, Labor, and Politics in Jamaica and Britain, 1832–1938* (Baltimore and London, 1992); Jean Besson, *Martha Brae’s Two Histories: European Expansion and Caribbean Culture-Building in Jamaica* (Chapel Hill, 2002); Diana Paton, *No Bond but the Law: Punishment, Race, and Gender in Jamaican State Formation, 1780–1870* (Durham, NC and London, 2004).

⁴*Parliamentary Papers 1866 LI [3594-I, II, III]: Papers relating to the disturbances in Jamaica. Parts I–III* (1866), 5.

⁵This is the official figure. Mimi Sheller, *Citizenship from Below*, 291–2, suggests it could be higher. See also Richard Huzzey, *Freedom Burning: Anti-slavery and Empire in Victorian Britain* (Ithaca, 2012), 184.

⁶R. W. Kostal, “Jamaica Committee (act. 1865–1869),” in *Oxford Dictionary of National Biography* (2004) (Oxford, 2016).

Carlyle and then by Henry Talbot, the Earl of Shrewsbury, represented Eyre's declaration of martial law, and the violence committed under it, as the only possible measure against revolution. The committee raised funds for Eyre's legal costs.

This article argues that the emotion of shame shaped how John Stuart Mill and the Jamaica Committee developed intellectual arguments in response to the brutal suppression by Governor Edward Eyre of the Morant Bay rebellion. The Jamaica Committee focused on two issues: first, a series of local meetings prior to the rebellion in which participants criticized the colonial government; and second, the legitimacy of martial law. The committee was concerned about the brutalization of social relations in Jamaica due to Eyre's actions. In trying to convince a metropolitan audience that Eyre's actions were unjust, the committee redefined the relationship between liberalism and empire by referring to shame. As well as *shaping* intellectual arguments, shame played an *instrumental* role: committee members invoked shame rhetorically to persuade their audience of the injustice of Eyre's actions. The emotion of shame helps to explain Mill's interpretation of events in Jamaica, his political-theoretical response to them, and the committee's stance as public moralists.

This article deploys recent methods from the history of emotions to offer a new reading of Mill. In the last twenty or so years, historians have moved away from understanding emotions as either biological universals or culturally bounded phenomena. Both models assumed the "hydraulic" nature of emotions: they were the nonrational excessive response to stimuli.⁷ But scholars have more recently integrated biological, cognitive, bodily, and discursive explanations of emotions. Historians have situated emotions within cognitive systems, and thereby depicted them as involved in perception, feeling, interpretation, and sense making.⁸

Envisaging emotions within cognitive systems provides new ground to the intellectual historian. The conceptual and rhetorical force of an argument; the connections between the motivation, intention, dissemination, and reception of ideas; and the relationship between data and interpretation are fundamental questions in intellectual history. Locating arguments within cognitive frameworks that are composed partly by emotions enables an investigation into Mill and the Jamaica Committee's interpretations of events in Jamaica and their public campaigning about them.

At first sight, shame seems an unpromising route into nineteenth-century thought. One prominent view interprets the nineteenth century in Britain and

⁷The term "hydraulic" is Barbara Rosenwein's. See Barbara H. Rosenwein, "Worrying about Emotions in History," *American Historical Review* 107 (2002), 821–45; on the history of emotions see Rosenwein, ed., *Anger's Past: The Social Uses of an Emotion in the Middle Ages* (Ithaca, 1998); William M. Reddy, *The Navigation of Feeling: A Framework for the History of Emotions* (Cambridge, 2001), Chs. 2, 3; Lynn Hunt, "The Self and Its History," *American Historical Review* 119 (2014), 1576–86; Lyndal Roper, *The Witch in the Western Imagination* (Charlottesville, 2012), 87–116.

⁸Monique Scheer, "Are Emotions a Kind of Practice (and Is That What Makes Them Have a History)? A Bourdieuan Approach to Understanding Emotion," *History and Theory* 51 (2012), 193–220; Kathryn M. de Luna, "Affect and Society in Precolonial Africa," *International Journal of African Historical Studies* 46 (2013), 123–50. For an approach that contrasts the history of sensibilities to the history of emotions see Daniel Wickberg, "What Is the History of Sensibilities? On Cultural Histories, Old and New," *American Historical Review* 112 (2007), 661–84.

the United States as the transition period from shame cultures to guilt cultures.⁹ In shame cultures, individuals were punished publicly for the infraction of social norms, whereas in guilt cultures new institutions punished and regulated behavior outside public view. On this view, the infliction of shame compels an individual to change their sense of self, whereas the attribution of guilt compels a change only in a specified domain of action. Yet defining shame as arising from the infraction of social norms assumes social consensus, rather than conflict, regarding those norms. The definition also obscures the intense individual experience of shame.

Instead of nineteenth-century decline, we might posit iterative shame cultures. In the nineteenth-century British world, there was social conflict over the meaning and attribution of shame. Shame played (and plays) a role in internal cognition. As one philosophical text puts it, shame “consists in the subject’s painful experience of one of her traits or behaviour as reflecting her own incapacity to meet, even minimally, the demands substantial with some of the values to which she is attached.”¹⁰ There is a risk that such painful negative feelings can lead to self-destructiveness. If that risk is managed, shame helps a subject to construct an alternative way of life and transform their sense of self.¹¹ For Mill, the Eyre controversy made him and fellow liberals feel shame because it revealed the incapacity of the British imperial administration, in which they were implicated, to meet the liberal values of justice, accountability, and procedural fairness. Shame opened a path to an alternative vision of the British imperial relationship with Jamaica, one that neither he nor the committee ever fully articulated.

Empire and dynamic civilization in Mill’s political thought

Historians have interpreted Mill’s involvement in the Governor Eyre controversy in two distinct ways. The first considers Mill’s chairmanship of the committee as evidence of his concern with preserving liberal imperial order rather than with improving the status of colonized peoples, or indeed with dissolving colonial rule.¹² For example, R. W. Kostal’s comprehensive and sympathetic account of the actions of the Jamaica Committee presents its arguments in terms of a concern about legal order.¹³ The second locates the Eyre controversy as a staging post on the benighted journey from a liberal humanitarian model of empire to a racialized, hierarchical, and territorial version in the second half of the nineteenth century.¹⁴ There is good reason not to portray the Jamaica Committee as a success. The Eyre

⁹See, for instance, Peter N. Stearns, *Shame: A Brief History* (Urbana, 2017).

¹⁰Julien Deonna, Raffaele Rodogno, and Fabrice Teroni, *In Defense of Shame: The Faces of an Emotion* (Oxford and New York, 2012), 16–17.

¹¹Ritva Palmén, “Our Inner Custodian: Shame and Moral Agency in Late Antiquity and the Middle Ages,” *Journal of Medieval and Early Modern Studies* 50 (2020), 199–231.

¹²On Mill’s concern with colonial order see Jennifer Pitts, *A Turn to Empire: The Rise of Imperial Liberalism in Britain and France* (Princeton and Oxford, 2005), 151; J. Joseph Miller, “Chairing the Jamaica Committee: J. S. Mill and the Limits of Colonial Authority,” in Bart Schultz and Georgios Varouxakis, eds., *Utilitarianism and empire* (Lanham, 2005), 155–78; Duncan Bell, *Reordering the World: Essays on Liberalism and Empire* (Princeton, 2016), 109–10.

¹³R. W. Kostal, *A Jurisprudence of Power: Victorian Empire and the Rule of Law* (Oxford, 2008).

¹⁴See, for example, Karuna Mantena, “The Crisis of Liberal Imperialism,” in Duncan Bell, ed., *Victorian Visions of Global Order: Empire and International Relations in Nineteenth-Century Political Thought*

Defence Committee attracted more subscribers than the Jamaica Committee. More importantly, the Jamaica Committee failed to secure convictions against Eyre, Brand, and Nelson.¹⁵ These negative assessments of the Jamaica Committee echo Carlyle's mordant verdict upon Mill's argument for a political economy that endorsed racial equality in 1850: "most shrill, thin, poor, and insignificant."¹⁶

Yet alongside these accounts of liberal imperial order and white administrators' hardening racial attitudes, there are additional dimensions of the controversy to consider. Mill participated in the collection, analysis, and deployment of data *beyond* what was necessary for the reinstatement of liberal imperial order. The Jamaica Committee's vindication of local political culture to a British audience emphasized the contingency of post-emancipation imperial rule in the 1860s. There were alternatives to hardened racialized governance that could draw upon the political practice of freedpeople rather than presuppose white superiority.

In focusing on how the Jamaica Committee conceived of local politics and martial law, this article draws upon recent scholarship on nineteenth-century liberal thought and empire. Many scholars have argued that liberal doctrine attributed personal freedoms only to those who qualified along lines of race, ethnicity, class, sexuality, and gender. One version of this argument contends that James and John Stuart Mill assumed the civilizational inferiority of particular peoples as a necessary condition for imperial rule over those groups in order to prepare them for liberty.¹⁷ This critique of Millian liberalism sits alongside scholarship that questions any necessary connection between liberalism and empire.¹⁸ In a colonial context, colonized peoples could receive, adapt, and transform the abstract liberal idea of the free subject without implying a commitment to the universality of liberalism.¹⁹

(Cambridge, 2007), 113–35; Duncan Bell, *The Idea of Greater Britain: Empire and the Future of World Order, 1860–1900* (Princeton, 2007), 114.

¹⁵Bernard Semmel, *Jamaican Blood and Victorian Conscience: The Governor Eyre Controversy* (Westport, 1976), 116; Catherine Hall, "The Economy of Intellectual Prestige: Thomas Carlyle, John Stuart Mill, and the Case of Governor Eyre," *Cultural Critique*, April 1989, 167–96; Bell, *Reordering the World*, 171.

¹⁶Thomas Carlyle, journal, 7 Feb. 1850, in James Anthony Froude, *Thomas Carlyle: A History of His Life in London, 1834–1881*, vol. 2 (Cambridge, 2011), 28; John Stuart Mill, *The Collected Works of John Stuart Mill*, ed. John M. Robson (henceforth *CW*), 33 vols. (1963) (Toronto and London, 1991), 21: xxi.

¹⁷This has been most forcefully argued in Uday Singh Mehta, *Liberalism and Empire: A Study in Nineteenth-Century British Liberal Thought* (Chicago and London, 1999); Pitts, *A Turn to Empire*; Karuna Mantena, *Alibis of Empire: Henry Maine and the Ends of Liberal Imperialism* (Princeton and Woodstock, 2010). For some careful analyses by political philosophers of whether liberal states can and should make slaves and/or subjects of illiberal states free (and whether such activity counts as force) see Bernard Williams, *In the Beginning Was the Deed: Realism and Moralism in Political Argument* (Princeton, 2005), 81; Alan Ryan, *The Making of Modern Liberalism* (Princeton, 2012), 107–22.

¹⁸I. S. Marwah, "Complicating Barbarism and Civilization: Mill's Complex Sociology of human development," *History of Political Thought* 32 (2011), 345–66; Andrew Sartori, *Liberalism in Empire: An Alternative History* (Oakland, 2014); Bell, *Reordering the World*, Introduction.

¹⁹For similar arguments see David Scott, *Conscripts of Modernity: The Tragedy of Colonial Enlightenment* (Durham, NC, 2004); Elaine Hadley, *Living Liberalism: Practical Citizenship in Mid-Victorian Britain* (Chicago and London, 2010), Ch. 5; C. A. Bayly, *Recovering Liberties: Indian Thought in the Age of Liberalism and Empire* (Cambridge, 2012); Georgios Varouxakis, *Liberty Abroad: J. S. Mill on International Relations* (Cambridge, 2013), 103; Sartori's focus is more on the direct adoption of liberal values rather than their transformation in colonial contexts. Sartori, *Liberalism in Empire*, 5–6, 32.

Even if Millian liberalism was necessarily imperial, the content and function of “civilization” in Mill’s argument are more complex than they might at first appear. Instead of thinking in terms of a pyramid structure, with the few developed civilizations at the top justified in colonizing the many “barbarian” groups near the bottom, he might have conceived of dynamic systems of practices and values, in which civilizations could regress as well as progress.²⁰ This dynamic system of civilization in the colony and in the metropole, as well as the interaction between them, would be sensitive to acceleration and deceleration, harmony and disruption.

The notion that Mill’s view of civilization could include dynamic interaction is counterintuitive and even uncomfortable. The argument that follows acknowledges that nineteenth-century liberals did not confront many questions of hierarchy. Many such political and intellectual elites were implicated in racial chattel enslavement and its long afterlives of indenture and colonial deprivation. They also perpetuated racial prejudices and moral disavowals regarding justice for former British colonies in ways that echo into the present. A more nuanced interpretation of Mill and the Jamaica Committee makes the paradoxes, compromises, and tensions between liberalism and empire more unsettling, rather than less so.

Debating the Underhill meetings

Divergent interpretations of pre-rebellion Jamaican political culture affected how far different metropolitan groups questioned the legitimacy of Eyre’s actions in 1865. From the 1830s, plantation owners and colonial administrators had pressed for new colonial laws and metropolitan ordinances to constrain emancipated people and their descendants.²¹ These included criminal laws against vagrancy, squatting, and breach of contract by employees. The colonial government introduced new taxes on consumables, such as clothes and carts. These taxes fell hardest on the poorest freedpeople, since they spent a larger proportion of their income than wealthier people did on consumables for daily life. The intended effect was to compel laborers to accept serial contract work in the service of plantation owners. Such measures only partially met that objective. In places such as St-Thomas-in-the-East, a more significant effect of policies that discriminated against freedpeople was to increase resentment of colonial authority. By the mid-nineteenth century, freedpeople did have some limited political representation in Jamaica’s legislative House of Assembly, which had been founded two hundred years previously to represent landowners’ interests. Some prominent politicians of slave heritage and radical political leanings, such as the mixed-race businessman George William Gordon, were elected to the House. They criticized discriminatory policies and institutional problems such as the poor condition of prisons.

In January 1865, Edward Bean Underhill, secretary to the Baptist Missionary Society, wrote to the Colonial Secretary, Edward Cardwell, to criticize the policies

²⁰Marwah, “Complicating Barbarism and Civilization.”

²¹Thomas C. Holt, “The Essence of the Contract: The Articulation of Race, Gender, and Political Economy in British Emancipation Policy, 1838–1866,” in Frederick Cooper, Thomas C. Holt, and Rebecca J. Scott, eds., *Beyond Slavery: Explorations of Race, Labor, and Citizenship in Postemancipation Societies* (Chapel Hill and London, 2000), 33–59.

that had contributed to high levels of distress in Jamaica. Underhill cited drought, high tariffs, and executive and legislative misconduct as causes. Underhill proposed that a commission from the metropole should investigate these problems.²² Cardwell asked Eyre to report on the letter's claims. Eyre authorized the *custos*, the local executive figure in each parish, to authorize meetings to discuss the letter. Men from a wide range of occupational, racialized, and socioeconomic backgrounds participated in Underhill meetings in urban and rural areas between April and September 1865.²³ Their proposals included schemes to help skilled artisans and domestic servants find employment in a period of general economic decline, to tackle youth delinquency, and to investigate allegations of corruption among colonial officials in managing infrastructure between the major urban centres of Kingston and Spanish Town. Gordon chaired one such Underhill meeting. Underhill meetings' participants appointed representatives to sign resolutions and to transmit them to Eyre, and local newspapers also printed the resolutions.²⁴

Within this context of widespread political opposition and in response to the uprising in 1865, the House of Assembly ceded wide-ranging powers to Eyre. The ensuing violence of suppression threatened to erase whatever grounds the colonized emancipated population had for continuing to obey colonial rule. The metropolitan government appointed a royal commission to investigate the causes and suppression of the rebellion, which reported in June 1866. The royal commission concluded that the uprising in Jamaica had been tantamount to "rebellion" and required decisive military action.²⁵ It also concluded that the methods of suppression had been unduly violent. This conclusion did not have legal force, but it opened the door for the Jamaica Committee to argue that excessive violence was a criminal act. These acts included the arson of homes and the killing of rebels after they had surrendered. By August, Carlyle had established the Eyre Defence Committee, which would devise potent arguments in support of Eyre's actions.

The royal commission based its report on a causal explanation of the rebellion that conformed to Eyre's own justification of his actions. The commission argued that widely held grievances about how plantation owners had withheld wages from laborers, how colonial authorities had meted out vindictive punishments for petty crimes, and how government officials had misappropriated public funds were unfounded. The Underhill meetings, at which people had expressed those grievances, gained prominence in how the commission explained the roots of rebellion.

²²Edward Bean Underhill, *Letter Addressed to the Rt. Honourable E. Cardwell with Illustrative Documents on the Condition of Jamaica and an Explanatory Statement* (London, 1865).

²³Jake Christopher Richards, "Political Culture in Jamaica before Anticolonial Nationalism," *History Compass* 15/2 (2017), e12332. Careful examination of the extant lists of resolutions and newspaper reports of the Underhill meetings in the UK National Archives reveals that, although some women attended some of the Underhill meetings, none spoke in favour of the resolutions or participated in the depositions that submitted the resolutions to Eyre. See also Sheller, *Democracy after Slavery*, 190; Sheller, *Citizenship from Below*, Ch. 4.

²⁴Colonial Office, Original Correspondence, CO 137/391: Despatch 137, UK National Archives (henceforth UKNA), Kew. This despatch comprised a memorial from the Underhill meeting participants to Cardwell, the resolutions from the meeting, and a clipping from the *County Union* newspaper, 23 May 1865. See also *Jamaica Watchman and People's Free Press*, 21 Aug. 1865.

²⁵*Parliamentary Papers 1866 XXXI [3683-I]. Jamaica. Report of the Jamaica Royal Commission, 1866 Part II. Minutes of Evidence* (1866).

According to Eyre and the commission, the disturbances were

in a great degree due to Dr Underhill's letter and the meetings held in connection with that letter ... where, in fact, language of the most exciting and seditious kind was constantly used, and the people told plainly to right themselves, to be up and doing, to put their shoulders to the wheel, to do as the Haytiens [*sic*] had done, and other similar advice.²⁶

Eyre used the Underhill meetings and Morant Bay rebellion not only as a justification for colonial rule, but also for summary suppression of political opposition. Such violence defined colonialism in terms of territorial protection and erased any possibility that the colonized population ought to be consulted about how they were governed. The commission used Eyre's evidence to argue that a small group centered around Bogle had planned the rebellion, that the Underhill meetings were proof of that planning, and that a colony-wide massacre of white inhabitants was the rebellion's intended outcome. By disparaging the critically engaged political culture evident in the Underhill meetings, the commission focused on the proximate causes of the uprising rather than on any longer-term ideological, political, or socioeconomic causes of discontent with colonial rule that had surfaced in October 1865. The commission's judgment turned the Underhill meetings into a test of Jamaica's political culture.

The Eyre Defence Committee used the royal commission's judgment to lionize Eyre. The rebellion was not only a second "Haiti"; it was also the touchpaper for a "conflagration [of] all our West Indian Possessions."²⁷ Eyre's authorization of summary violence was provident in preventing a racial massacre. Committee member John Ruskin argued that Eyre had acted according to his office: a governor should "do what law cannot do" and act with summary authority in an emergency.²⁸ The appeal to emergency enabled the anti-utilitarian partnership of Carlyle and Ruskin to make a strongly consequentialist argument: Eyre had saved a burning ship from utter destruction at the mere cost of throwing some cargo overboard.²⁹ Far from positing shame as the result of Eyre's actions, the Eyre Defence Committee was primarily concerned with defending Eyre's honor. A conspiratorial group that had planned a rebellion for no other reason than a lust for killing white people had been stopped by Eyre's efficient actions; any collateral damage was justified by the implied proximity of the victims to the guilty.

The Eyre Defence Committee's consequentialist argument also gained support from barrister-turned-journalist William F. Finlason. In his *Treatise on Martial*

²⁶Note that the phrase "shoulders to the wheel" comes from a letter signed by Bogle and nineteen others to Eyre, 10 Oct. 1865, and not from the Underhill meetings. Eyre to Cardwell, 20 Oct. 1865, reprinted in *Papers relating to the disturbances in Jamaica, Part I*, vol. 51, Paper Number 3594 3594-I 3594-II 3594-III, 7. The commission's report discounted wider socioeconomic causes of the uprising. *Jamaica. Report of the Jamaica Royal Commission, 1866. Part I. Report*, vol. 30, Paper Number 3683 3683-I, 17–18.

²⁷"Handwritten Draft of the Defence of Edward Eyre by T. Carlyle," MS 894, National Library of Jamaica, Kingston, Jamaica.

²⁸Eyre Defence Committee, *The Eyre Defence and Aid Fund* (London, 1866), 21–2.

²⁹James Anthony Froude, *Froude's Life of Carlyle*, ed. John Clubbe (London, 1979), 601; Semmel, *Jamaican Blood*, 124.

Law (1866), published between the conclusion of the commission's investigation and the publication of its results, Finlason made a syllogistic argument.³⁰ First, subjects in open rebellion created a state of war with the Crown, thereby justifying the government's declaring martial law. Second, Jamaica was in open rebellion in 1865. Therefore, third, under martial law, it was legitimate for colonial authorities to kill rebels in Jamaica. Crucially, Finlason posited that martial law meant that Eyre, as governor, was responsible only for Gordon's *arrest* on suspicion of involvement in the rebellion. Eyre reasonably believed that "the active leaders were still at large and as determined as ever; that the prisoner had been closely associated with them ... and that he was believed to be the real head and origin of the rebellion."³¹ The *military* was responsible for his execution. The lack of compelling evidence of Gordon's inciting rebellion and his definitive status as a non-fighting civilian were irrelevant. Finlason argued that Eyre's perception of Gordon's participation in the rebellion meant that Gordon was not eligible for a jury trial based on a test of reasonable doubt.

When Mill became chairman of the Jamaica Committee on 9 July 1866, the committee was under pressure to develop its own interpretation of Jamaica's recent politics. Such an interpretation needed to respond to the Report of the Jamaica Royal Commission and the Eyre Defence Committee's arguments. In eight volumes, the committee offered an alternative causal explanation of the rebellion, as well as analysis of the morality of Eyre's actions, in a set of documents called the Jamaica Papers.³² With the exception of the first volume, Mill's involvement extended at the very least to giving his approval for the Papers. At the most, he was a direct contributor to the enterprise, cosigning key statements of the committee and giving the parliamentary speech that formed the centerpiece of the third volume.

The Jamaica Committee argued that the colonial government's legislation had produced strong negative socioeconomic effects. In the fourth volume, the lawyer John Ludlow argued that colonial legislation had focused on boosting economic growth by flooding the colony with convict labor rather than helping freedpeople increase their productivity:

³⁰W. F. Finlason, *A Treatise on Martial Law: As Allowed by the Law of England, in Time of Rebellion: With Practical Illustrations Drawn from the Official Documents in the Jamaica Case, and the Evidence Taken by the Royal Commission of Enquiry, with Comments, Constitutional and Legal* (London, 1866); see also Finlason, *Commentaries upon Martial Law with Special Reference to Its Regulation and Restraint: With an Introduction, Containing Comments upon the Charge of the Lord Chief Justice* (London, 1867).

³¹Finlason, *A Treatise on Martial Law*, 185.

³²Jamaica Committee, *Facts and Documents Relating to the Alleged Rebellion in Jamaica, and the Measures of Repression: Including Notes of the Trial of Mr. Gordon* (London, 1866); Jamaica Committee, *The Blue Books* (London, 1866); Jamaica Committee, *Statement of the Committee and Other Documents* (London, 1866); John Malcolm Forbes Ludlow, *A Quarter Century of Jamaica Legislation* (London, 1866); Frederic Harrison, *Martial Law: Six Letters to "The Daily News"* (London, 1867); John Gorrie, *Illustrations of Martial Law in Jamaica: Compiled from the Report of the Royal Commissioners, and Other Blue Books Laid before Parliament* (London, 1867); Jamaica Committee, *Report of the Proceedings at Bow Street Police Court: On the Committal of Colonel Nelson and Lieutenant Brand for the Murder of Mr. G. W. Gordon* (London, 1867); Jamaica Committee, *Illegal Acts in Jamaica: Correspondence with the Attorney-General* (London, 1867).

Had [the course of legislation] not been such as to teach [the people of Jamaica] that physical force was the greatest social arbiter? Had it not done its best to set class against class? ... To demoralize, and in his eyes degrade, the free labourer by the contact of the assigned convict, that temporary slave? ... Had it not mocked his ignorance by an educational system which had not even the credit of remaining stationary, but had actually retrograded since the abolition of slavery?³³

Here, Ludlow borrowed from two of Mill's earlier arguments. First, in his earlier debate with Carlyle, Mill had countered Carlyle's demand that freedpeople in the British Caribbean be compelled to work in sugar production as "no new law, but the old law of the strongest ... the law that whoever is more powerful than another, is 'born lord' of that other, the other being born his 'servant'."³⁴ Mill predicted that such a policy would cause justifiable resentment amongst the freed population. Second, within a civilizational schema, Mill consistently argued that the main objective of colonialism was to improve colonial subjects to enable them to govern themselves at a quicker rate than could be achieved through random chance.³⁵ Eyre's governorship in Jamaica had failed in that objective; indeed, he had directly undermined it. Mill was adamant that there now existed "the necessity of giving *equality of political rights to the negroes*. What has just taken place in Jamaica [i.e. the Morant Bay rebellion] might be used as a very strong argument against leaving the freedmen to be legislated for by their former masters."³⁶ Powerful elites had captured the legislative process, marginalized black political rights, and stymied distributive justice in Jamaica.

The Jamaica Committee unearthed legislative capture by landowning former enslavers and administrative failures throughout Jamaica's pre-rebellion history. The Jamaica Papers analyzed the notorious "tramway fraud," in which Eyre was accused of misappropriating public funds. Eyre had erected an incomplete tramline that prevented traders from using a public road between Kingston and Spanish Town, two major urban areas. The Papers also highlighted the troubling reintroduction of flogging as a punishment for petty crime. The committee's publications uncovered and publicized "the miserable condition" of the colony that the Underhill meetings had previously brought to Eyre's attention.³⁷ The rebellion was not the masterplan of a small group of subversive political opponents but rather symptomatic of chronic, widespread misrule calculated to stultify the

³³Ludlow, *A Quarter Century of Jamaica Legislation*, 98.

³⁴Mill, "The Negro Question" (1850), *CW*, 21: 87–95, at 87.

³⁵See, for instance, various passages from *On Liberty* (1859) and *Considerations on Representative Government* (1861): *CW*, 18: 224 (applying the liberty principle only to the "state of things ... when mankind have become capable of being improved by free and equal discussion"); 19: 399–421 (calibrating forms of government to social conditions, and excluding the uncivilized from having representative government); 19: 567–8 (on the civilizing responsibilities of colonial rulers).

³⁶Mill to Rowland Hazard, 15 Nov. 1865, *CW*, 16: 1117–18, emphasis added.

³⁷Jamaica Committee, *Blue Books*, 49–50; Ludlow, *A Quarter Century of Jamaica Legislation*, 96; *Parliamentary Papers 1866 LI [3594-I, II, III]: Papers Relating to the Disturbances in Jamaica. Parts I–III*, 39. For the quotation see Gordon's letter to Louis Chamerovzow, secretary of the British and Foreign Anti-Slavery Society, 21 Feb. 1865, MSS. Brit. Emp. s.22 G64, Weston Library, Oxford.

socioeconomic advance and political representation of the freed population. The remarkable fact was not rebellion in 1865, but that colonized subjects had endured misrule for so long.

Using this alternative narrative, the committee recast the meetings as the legitimate, deliberative opposition to the colonial government rather than a conspiratorial plot. Indeed, by the 1860s, the police and judiciary in England were highly unlikely to view such meetings as unlawful assemblies.³⁸ It was hypocritical for imperial authorities to claim that freed people of colour in Jamaica were British subjects but deny them the right to political assembly. One reason that force, rather than deliberation, had become the “greatest social arbiter” was that most interactions with the justice system involved the magistracy. The freed population, represented by figures such as Bogle and Gordon, accused magistrates of being biased in favor of landowners. The Underhill meeting at Kingston had proposed the introduction of stipendiary magistrates whose salaries would theoretically make them independent of plantation owners’ interests. Notably, the committee endorsed the proposal, quoting Cardwell’s own approval of it.³⁹ The Jamaica Papers had reconstructed and publicized the value of the Underhill meetings as providing potential solutions to socioeconomic difficulties that Eyre’s administration had caused.

The committee also vindicated the leadership of the meetings to demonstrate Gordon’s nonviolent political opposition to Eyre. They called on Colonel A. H. Lewis to testify to the grand jury that would determine whether Nelson and Brand should be charged with murder. John Gorrie, a barrister whom the committee had sent to Jamaica to monitor the commission’s investigations, noted that Gordon’s chairmanship of an Underhill meeting was a contributing factor in finding him guilty of inciting rebellion—even though Eyre knew that Lewis and Baptist ministers had chaired other Underhill meetings. Lewis’s testimony helped to determine that Gordon’s chairmanship was not tantamount to inciting rebellion.⁴⁰ The committee presented the Underhill meetings as a mode of nonviolent political culture that had identified major failings with colonial rule, distinguishing the Underhill meetings from the causes of the rebellion, *contra* Eyre and the royal commission. The committee used its publications to demonstrate how the meetings had transformed liberal values regarding governance, and how colonial state officials had erred in dismissing the meetings.

Martial law and injustice

In addition to the forensic analysis of political and socioeconomic conditions prior to the rebellion, the Jamaica Committee tried to prove that martial law was void in

³⁸I am grateful to Richard Huzzey for this point. See Michael Lobban, “From Seditious Libel to Unlawful Assembly: Peterloo and the Changing Face of Political Crime c1770–1820,” *Oxford Journal of Legal Studies* 10 (1990), 307–52.

³⁹Jamaica Committee, *Blue Books*, 45. The original proposal is in the resolutions of the Underhill meeting, Kingston, Colonial Office, Governor’s Despatches, Despatch 132, CO 137/391, UKNA.

⁴⁰Gorrie, *Illustrations of Martial Law*, 44; Jamaica Committee, *Report of the Proceedings*, 31, 34–8, for evidence to prove that Gordon’s political activity did not advocate “putting shoulders to the wheel”—open rebellion—in the months before the outbreak at Morant Bay.

English law. According to the committee, during a state of war or rebellion, a supreme political authority may justifiably kill armed opponents. But any opponents that were captured during the rebellion or after its suppression had the right to be tried according to common law.⁴¹ Mill defined the committee's position on martial law most precisely in what he called his "best" parliamentary speech. Mill spoke in response to Buxton's parliamentary motions that condemned the punishments meted out during the suppression of the rebellion and demanded compensation for the victims.⁴² Mill argued that there was only a law of war and common law of peace. Martial law, by contrast, was the "negation of all law," under which "the civil and military authorities and their agents may run amuck" with no accountability.⁴³

By casting martial law as negation, Mill gained a vantage point over Carlyle and Ruskin's consequentialist argument. It did not matter whether Eyre's actions saved the colony; he had acted illegitimately by declaring martial law. Eyre had no justification for arson and execution carried out under the aegis of martial law.⁴⁴ The Jamaica Committee had collected far more evidence than was required for a legal case against Eyre or Nelson and Brand, including detailed data of Jamaican political culture in the Underhill meetings. The Papers collapsed Finlason's first two propositions—that martial law was legitimate during a state of rebellion and that Jamaican political life in 1865 was manifestly rebellious—and so the third proposition also fell, as a non sequitur.

The Jamaica Committee narrowed its concerns regarding events in Jamaica to the question of legal order only with respect to the charge of Alexander Cockburn, Lord Chief Justice, to the grand jury in the case against Nelson and Brand. Cockburn was not a member of the Jamaica Committee, but his charge was printed in the Jamaica Papers. Cockburn began by shifting the question of guilt away from whether Gordon was a plotter to a procedural question whether Nelson and Brand were justified in acting under martial law. Since Jamaica was a settled colony, its legal system was the same as England's: just as in the metropole, there was no such law as martial law in Jamaica.⁴⁵

Cockburn also concentrated upon Gordon's precise actions prior to the rebellion. There was doubt about whether Gordon had invoked the possibility of a Haitian-style revolution in Jamaica. Even if he had done, a spoken utterance was not sufficient to cause a rebellion because it was liable to multiple interpretations regarding its effects on the legal order.⁴⁶ Without *mens rea*, Gordon could not be guilty of inciting rebellion.⁴⁷ Even in a court setting, during which evidence and rhetoric necessarily turned on questions of attributing guilt in an adversarial context, the Jamaica Committee reconstructed Gordon's deep critique of Eyre's misrule prior to the rebellion.

⁴¹Harrison, *Martial Law*, 11–12.

⁴²CW, 1: 281 for Mill's verdict on his speech; the speech is in CW, 28: 105–13.

⁴³Parliamentary speech, 31 July 1866, CW, 28: 110.

⁴⁴Harrison, *Martial Law*; Mill's speech was reprinted in Jamaica Committee, *Statement of the Committee*, 7–18.

⁴⁵Jamaica Committee, *Report of the Proceedings*, 7, 18, 23.

⁴⁶*Ibid.*, 119–20, 137.

⁴⁷*Ibid.*, 154.

Although the committee selectively narrowed its focus to colonial legal order, Mill remained concerned with the larger question whether colonial rule supported civilizational development. In 1868, he received a letter from William Sims Pratten, expressing concern that Mill's chairmanship of the committee had lost him support in his parliamentary constituency. Mill replied by arguing that only a judicial investigation could restore trust and defend "law and justice as foundations of order and civilization." It was not only law and justice that were under threat, but all social relationships. "If the majority of any nation were willing to allow such events to pass unquestioned I have no hesitation in saying that all the ties of civil society would in that nation be at the mercy of accident."⁴⁸ The attribution of legal responsibility was a necessary but insufficient condition for restoring Jamaican subjects' faith in colonial rule. It was necessary because it restored a pathway towards order and civilization, and insufficient because progress along that pathway required responsive, contextualized, and effective solutions to systemic problems in colonial governance, such as those that the Underhill meetings had proposed.

Mill was committed to understanding the long-term causation of the rebellion and to a long-term solution regarding governance. These commitments were evident in the Jamaica Committee's final statement on 15 July 1868 signed by Mill, P. A. Taylor (committee treasurer), and F. W. Chesson (honorary secretary):

A district in the Island of Jamaica had been the scene of a disturbance, caused as it appears, in part at least, by a system of misrule under which (according to the testimony of the present Governor, Sir J. P. Grant) in minor criminal cases, those mainly affecting the people, the system of legal procedure was extremely bad, and in civil matters for the poorer classes there was no justice at all, while there was nothing worthy to be called a police ...⁴⁹

The committee attributed full responsibility for the rebellion to Eyre's administration. In a clear rejection of the royal commission and of Eyre's aetiology of the disturbances, the committee did not mention the Underhill meetings or any alleged Bogle–Gordon conspiracy as causal factors.

Recent historical interpretations that use the Jamaica Committee as evidence of Mill's overriding concern with "imperial order" miss this crucial argument about causation. In turn, these interpretations operate within a legalistic paradigm that originated in Carlyle's arguments *in defence* of Eyre, which cast his extrajudicial actions as defending colonial order.⁵⁰ The "order" paradigm measures Eyre's innocence or guilt by the legitimacy of martial law: either Eyre was justified in using martial law to impose order or he was not, in which latter case he should have found an alternative way to impose order. This paradigm assumes that the colonized population required an outsider to impose order for their own benefit. Yet, as the Jamaica Committee demonstrated, colonized people in Jamaica *did* have conceptions of order and reform. Through the Underhill meetings, their critique of

⁴⁸Mill to William Sims Pratten, 9 June 1868, CW, 16: 1411.

⁴⁹CW, 21: 429–30.

⁵⁰Cf. Hamilton Hume, *The Life of Edward John Eyre, Late Governor of Jamaica* (London, 1867); Geoffrey Dutton, *Edward John Eyre: The Hero as Murderer* (Harmondsworth, 1977).

colonial misrule was more attuned to solving the colony's problems than Eyre's policies had been.

Mill thought that his participation in the Jamaica Committee carried through his vision of colonial rule that paid attention to how local politics worked. The collection, analysis, and dissemination of evidence to exculpate local political culture in Jamaica were necessary for his role as a "public moralist."⁵¹ But Mill also understood that arguments over the causation of the rebellion might fall short in reshaping public opinion and colonial policy making concerning post-rebellion Jamaica. A set of emotional terms was necessary if his moralizing were to have any chance of success in convincing the metropolitan public, executive, and legislature to support comprehensive reform of colonial rule.

The work of shame

The committee's members used appeals to emotions instrumentally to mobilize support by representing Mill's parliamentary colleagues' and the public's moral standing as at risk due to Eyre's actions. More important, emotions shaped how Mill and the committee responded to colonial misrule. Emotions can be a form of practice that connect cognitive and embodied "inner" processes to social life. In specific contexts, people have modified, named, communicated, and regulated their emotions.⁵² Although the committee focused primarily on the question of how British colonial officials and the royal commission had misconstrued local politics in Jamaica, Mill was also interested in the question of how Jamaican subjects might perceive the actions of Britain as a colonial state in the aftermath of suppression.

The emotion of shame was particularly strong during the controversy. In Parliament, John Stuart Mill and W. E. Forster both claimed that they were "ashamed" by what had happened in Jamaica and even Benjamin Disraeli admitted that "all must look upon [the events in Jamaica] as a great shame and calamity to this country."⁵³ It was also a key association in people's memories of the controversy. Reviewing the controversy in his *Autobiography*, Mill feared the "disgrace" that would have been incurred if the country had let the authorities' actions pass "without even a protest" and felt that the Jamaica Committee "had however redeemed, so far as lay in us, the character of our country."⁵⁴ These were all examples of the instrumental, and not necessarily shaping, role of shame. The consequence of colonial violence was a sense of shame in the metropole, but the precise *content* of that feeling depended on whether the person felt that the main victim of the violence was the colonized population or Britain's standing as a colonial power.

Beyond these instrumental uses, shame was a key factor in explaining the motives and arguments of various actors during the controversy. Comparing Mill

⁵¹Stefan Collini, *Public Moralists: Political Thought and Intellectual Life in Britain, 1850–1930* (Oxford, 1991).

⁵²Scheer, "Are Emotions a Kind of Practice?"

⁵³Hansard, 3rd series, 1866, vol. 184, cc1799, 1812, 1839; Semmel, *Jamaican Blood*, 105, 107; Froude, *Life of Carlyle*, 601.

⁵⁴CW, 1: 281–2.

to two other members of the committee reveals this shaping role.⁵⁵ Charles Buxton chaired the committee from its inception until July 1866, when he was ousted by a group who backed Mill. He was part of a family of evangelical reformers involved with the Anti-Slavery Society.⁵⁶ Frederic Harrison was a key intellectual on the committee, contributing a volume on martial law to the Jamaica Papers series. He was Millian, but also a positivist who had turned away from holy orders to devise a Comte-inspired religious worldview of humanity.⁵⁷ These two, alongside Mill, had different intellectual backgrounds—religious, secularizing, and secular—but there was enough overlap for consensus to be possible. As revealed by how they discussed questions of individual and collective guilt and shame regarding Eyre's actions in Jamaica, they devised divergent positions about prosecuting Eyre.

Bernard Williams's distinction between shame and guilt provides a guiding model for thinking about these emotions. For Williams, the phenomenology of both emotions is similar, but their causes and consequences differ. On his terms, both require a real or imagined "observer" to see and evaluate a subject's circumstances. This observer does not need to belong to the same social reference group as the subject. In the case of shame, the subject comes to think that her circumstances have been perceived by the observer as a loss of power, because of some failing, inadequacy, action, or omission. The subject internalizes the observer's perception and their consequent reaction of contempt without conscious effort, resulting in a feeling of shame. The subject's shame can be purely narcissistic, concerned only with her consequent loss of status. Shame can also be generative, leading to attempts at self-improvement for a social goal.⁵⁸

In the case of guilt, the subject's observer is the victim, who reacts to the subject's action or omission with anger. Internalizing the victim leads the subject to recognize the victim's entitlement and the need to make reparation.⁵⁹ Guilt has the advantage of always keeping the observer's benefit as the primary goal of the reparative action. Whereas guilt results exclusively from a narrow moral sphere of action/omission, shame has a wider *ethical* source. Shame is better connected with ethical life and how this life relates to other lives in "possible social realities."⁶⁰

Consequently, it is easier to imagine a more extensive range of observers to one's shame than to one's guilt. If the internalized observer could plausibly perceive the subject's character as losing power within a given context, shame will result. This result will occur in a wide range of relationships between observer and subject: there is no need for the subject's choices, actions, or obligations to affect the observer directly or indirectly. By contrast, guilt requires a stronger causal connection between the subject's action (or omission) and the context. Shame leads the subject

⁵⁵This comparison contributes to our understanding of differences within the Jamaica Committee, a question raised by Catherine Hall in 1989. Hall, "The Economy of Intellectual Prestige," 184 n. 30.

⁵⁶G. B. Smith, "Buxton, Charles (1822–1871)," in *Oxford Dictionary of National Biography* (Oxford, 2012); Olwyn Mary Blouet, "Buxton, Sir Thomas Fowell, First Baronet (1786–1845)," *Oxford Dictionary of National Biography* (Oxford, 2010).

⁵⁷Frederic Harrison, *Autobiographic Memoirs*, 2 vols. (London, 1911), 1: 140–48, 282–3.

⁵⁸Bernard Williams, *Shame and Necessity* (Berkeley, 1993), 88–90.

⁵⁹*Ibid.*, Ch. 4 and n. 1.

⁶⁰*Ibid.*, 102.

to feel emotionally connected to a wider range of internalized observers across time and space than the feeling of guilt does.

Charles Buxton felt no shame over events in Jamaica. In his letter of resignation from the committee on 26 July 1866, he explained that Eyre had ordered Gordon's execution because he "really shared in a belief, universal at this moment among all the whites and coloured [*sic*] men of the island, that such a conspiracy [to massacre the white population] had existed, and that Mr Gordon was, to a great extent, guilty of promoting it."⁶¹ Buxton focused on Gordon's supposed guilt in inciting the rebellion. In his resolutions to Parliament on 31 July, he called for punishments for military, naval, and civil officers who had exceeded their authority, compensation for victims and their families for loss of life and property, and the commutation of sentences for rebels. Buxton's proposals focused on who was guilty during the rebellion and its suppression and he favored a retributive approach to holding the guilty to account.

Buxton's most serious concern was that a vote against his resolutions would "express a deliberate approval on behalf of the British people of the excessive severity with which the disturbances had been punished."⁶² He even went as far as asking whether his fellow Members of Parliament thought that the authorities' actions after the suppression of the rebellion "threw a ray of glory over the name of England, or has it covered us with shame?"⁶³ But Buxton's mixed metaphor suggested the instrumental rather than shaping role of shame in his argument. He was unclear about the observer of these rays of glory or cover of shame: was it Jamaican political protestors and victims, or other European imperial powers, or the British people themselves? He criticized Brand's evidence to the royal commission as "flippant and shameful."⁶⁴ Buxton used shame to ascribe *guilt* to those involved in the suppression.

Compared to Buxton, Frederic Harrison was more aware of the shame that resulted from the suppression and its aftermath. In his volume for the Jamaica Papers, Harrison presented martial law as wholly alien to English legal traditions and Britain's colonies. Eyre's atrocities demonstrated a loss of power by the metropolitan public to control their colonial governments and to ensure that they governed in the colonial population's interests. That loss of power caused him to feel that the public was shamed by allowing the "tiger in [our] race" to dictate how Jamaica was governed.⁶⁵ He therefore saw Jamaican complaints about misrule as evidence of a failing in the metropolitan public to which he belonged.

Harrison warned of three deleterious consequences if Eyre's use of martial law was justified as expedient, and thereby disregarded historical and constitutional precedents. First, in the West Indies, the same pattern of misrule and rebellion would repeat itself. Second, it would create a precedent for tolerating governors' abuse of power in all other colonies, including settler colonies such as Australia.

⁶¹*Anti-Slavery Reporter* 14/8 (1866), 203.

⁶²Hansard, 3rd series, 1866, vol. 184, c1764.

⁶³*Ibid.*, c1783.

⁶⁴*Ibid.*, c1778.

⁶⁵Harrison, *Martial Law*, 41; Kostal, *A Jurisprudence of Power*, 465.

Third, there was the risk of a “contagion of lawlessness” in which misrule in Jamaica could legitimize misrule in Ireland and even England.⁶⁶ The observers of his shame included Jamaican subjects but were perhaps primarily the populations and administrators in other colonies. This final point suggested that although shame shaped Harrison’s arguments, he was concerned less with reparative actions that Jamaican people would regard as just than with the diminished quality of government in the empire and the metropole. His shame was connected to belonging to a culture that had enabled governors to treat subjects violently.⁶⁷ Harrison’s sense of the imperative to improve government for the colonized population’s sake was thus limited. He was happy to remind his metropolitan readers that Eyre’s misrule on a generalized scale would require “constant warfare with half-savage and dark races” which would corrupt the most conscientious colonial administrators.⁶⁸

Harrison also seemed to be aware of a more general internalized “observer”—other nations who observed the British Empire’s actions. He insisted that any official who broke the law and pleaded “necessity” must be accountable to a court, on the basis that the empire could not otherwise be maintained in “any great or moral sense.” This thought required a conception of morality that ranged beyond national or imperial boundaries, and placed concern for Jamaican subjects outside a simple calculation about national interest.⁶⁹ It was also close to Mill’s censure of colonial rulers who failed to aim at improvement and were thus guilty of “sport[ing] with the destiny of masses of mankind.”⁷⁰

Harrison characterized the disagreements between the two committees as a competition between sets of universal values: “On the one hand stands the cause of personal liberty, official responsibility, equal justice, and ancient precedent. On the other, [stands] that of arbitrary rule, military jurisdiction, wild injustice, martial licence, race prejudice, and strange prerogative.”⁷¹ At this more abstract level, shame was also the loss of the power to uphold the universal values demanded of a civilized nation. Harrison thought this failing was generalizable, in Comtian terms of “making the earth the dwelling of a race of men less filled with ambition, self-love, and love of battle,” a view Buxton did not share.⁷² As a source of shame, Harrison was less motivated by how losing power might affect the colonized population than by how it might affect colonial government’s capacity to project certain values.

Compared with Buxton’s moral distancing and Harrison’s concern with colonial governance, Mill’s shame extended the farthest. The strength of Mill’s convictions is evident in how he altered the committee’s stated purpose. Initially, the committee aimed to secure a parliamentary inquiry into the past and present conditions in Jamaica, to monitor the progress of that inquiry, and to provide Jamaicans with legal advice for compensation claims. But by the time of the committee’s attempted prosecution of Eyre, its aims had become “to obtain a judicial inquiry ... to settle

⁶⁶Harrison, *Martial Law*, 39.

⁶⁷Kwame Anthony Appiah, *The Honor Code: How Moral Revolutions Happen* (New York, 2010), 94–5.

⁶⁸Harrison, *Martial Law*, 41.

⁶⁹*Ibid.*, 34.

⁷⁰John Stuart Mill, *Considerations on Representative Government* (1861), CW 19: 371–577, at 567–8.

⁷¹Harrison, *Martial Law*, 42.

⁷²Harrison, *Autobiographic Memoirs*, vol. 2: 119.

the law in the interests of justice, liberty, and humanity; and to arouse public morality against oppression generally, and particularly against the oppression of subjects and dependent races.”⁷³ These three goals widened the scope and ambition of the Jamaica Committee’s campaign regarding the reform of the political relationship between the metropole and colony.

For the first goal, Mill did not specify whether “humanity” referred to the condition of being human or to humane behaviour, or both.⁷⁴ Nonetheless, he clearly thought that colonized subjects in Jamaica were members of the same ethical universe as white metropolitan subjects regarding access to justice, liberty, and condemnation of oppression. The second and third goals framed the problem as one of “oppression,” a condition that was the result of political and socioeconomic systemic relationships, rather than the narrower question whether a particular governor had overstepped the legal boundaries of his office. Oppression by the imperial administration in which Mill was implicated meant that colonial rule had failed to meet the liberal values of justice, accountability, and procedural fairness. Mill had widened the scope from individual guilt to abstract moral principles and added the reform of public opinion as an objective.⁷⁵

For Mill, one observer of his shame was humanity. As the internalized observer, it included both freedpeople and former slaveholding plantation owners whose political rights needed rebalancing. He presented himself, and his compatriots, as complicit “participants” in the culture that had allowed Eyre to commit atrocities and then reacted with indifference.⁷⁶ In a letter of December 1865, Mill was adamant that nothing in Parliament was “more important than the duty of dealing justly with the abominations committed in Jamaica. If England lets off the perpetrators with an inadequate punishment, no Englishman hereafter will be entitled to reproach Russia or the French Revolutionists with any massacres, without at the same time confessing that his own country has done worse.”⁷⁷

Mill felt a loss of power in the eyes of humanity in two ways. First, he felt that if he did nothing, he was complicit in allowing political might to override any ethical considerations. His parliamentary speeches on Jamaica made the classic Whig argument that martial law paved the way to “arbitrary power.” Despotism according to martial law abroad increased the risk of despotism in the metropole.⁷⁸ Mill was not merely concerned with Harrison’s contagion of lawlessness. He was also concerned with how a despot’s decision making becomes emotionally unbalanced—“an exasperated man’s judgment, or a frightened man’s judgment of

⁷³Jamaica Committee, *Facts and Documents*, 97–8; cf. *CW*, 21: 433.

⁷⁴According to the *Oxford English Dictionary* (2nd edn), both senses (among others) were in use in the mid-nineteenth century.

⁷⁵On Mill’s posturing as somebody who could reform public opinion see Collini, *Public Moralists*; Donald Winch, *Wealth and Life: Essays on the Intellectual History of Political Economy in Britain, 1848–1914* (Cambridge, 2009), 80.

⁷⁶Mill to Lindsey Middleton Aspland, 23 Feb. 1868, *CW*, 16: 1364–5.

⁷⁷Mill to William Fraser Rae, 14 Dec. 1865, *CW*, 16: 1126.

⁷⁸The parliamentary speeches were on Buxton’s motions (31 July 1866) and on martial law (2 July 1867): *CW*, 28: 105–13, 203–5. Mill publicly made the very argument that Pitts, *A Turn to Empire*, 155, claims he did not.

necessity”—with ramifications for all his subjects.⁷⁹ The need to prevent colonial rule from slipping from principled governance to the law of the strongest was “[the people’s] cause; and we will not be wanting to them if they are not wanting to us.”⁸⁰ Second, metropolitan and colonial populations would suffer from constant doubt about Britain’s ability to run an empire according to liberal principles of improvement.⁸¹ The need to negate this doubt prompted the inversion of Buxton’s argument. For Buxton, the prosecution of Eyre would transform him into a martyr in the public imagination, and the committee should be circumscribed by what public opinion would likely allow. For Mill, the committee should seek to shape and improve public opinion. Public opinion or national interest should never trump a moral imperative, as it would do if the committee acceded to Buxton’s desire or the Eyre Defence Committee’s claim that no price was too high to pay to retain a colony. If Parliament settled the issue according to immediate national interest, it would lower Britain’s long-term international standing. Abstract humanity as the observer that bore witness to Mill’s (and Britain’s) loss of power motivated him to defend the abstract ideal of the accountability of government.

A second observer of Mill’s shame was the colonized population. In 1868, and with an awareness of the potentially vast number of colonized people as observers, Mill restated the committee’s position as, “morally, a protest against a series of atrocious crimes, & politically an assertion of the authority of the criminal law over public delinquents ... it is better for the future that even one person should have done this than that the national judgment sh[oul]d go in favour of the criminal with universal, at least passive acquiescence.”⁸² The observers of the “national judgment” of Eyre were the “people of our dependencies” in the present and the future. As in Mill’s theoretical analysis of the selfish usurping ruler, Eyre was now a “criminal” whose actions polluted the ethical universe shared by metropole and colony.⁸³ A comprehensive set of reconstructive measures that stretched beyond solely legislative or judicial solutions was required. Anything less would “justly inflame” the people of Jamaica against colonial rule.

Mill internalized the crucial message of the Underhill meetings that a change in governor was not a sufficient safeguard against Eyrian despotism. Political problems in Jamaica had systemic socioeconomic causes. In turn, Mill considered that only a campaign supported by the “humblest & obscurest English man or woman, animated with that respect for law & love of liberty on which the greatness of England has been founded in past times & depends in the future,” would suffice to redeem colonial rule in the minds of all inhabitants of Jamaica.⁸⁴

This recognition by the largest possible group in the metropole of the humanity of the participants in local political culture in Jamaica was crucial because the *loss* of that recognition had permitted the violence under martial law that had followed the rebellion. This loss of recognition had threatened and brutalized the dynamic

⁷⁹CW, 28: 112.

⁸⁰CW, 28: 113.

⁸¹CW, 16: 1126; 1: 281.

⁸²Mill to Lindsey Middleton Aspland, 23 Feb. 1868, CW, 16: 1365.

⁸³Mill, *Considerations*, CW, 19: 568.

⁸⁴Mill to Sims Pratten, 9 June 1868, CW, 16: 1411.

political culture that Mill and the Jamaica Committee had sought to recover and publicize. Recognition was crucial for a public campaign because it prevented government or Parliament from claiming that a commission of inquiry was a satisfactory solution. Recognition also enabled mutual understanding between metropolitan and colonial inhabitants that self-improvement towards an enduring solution was required.

Mill saw an observing “public” of metropolitan and colonial audiences to his campaign as integral to reforming colonial rule. He wished to reform metropolitan culture to prevent another governor from enabling mass violence. Mill imagined colonized peoples and humanity as critical observers of this reform project. This twofold expansion marked the tantalizing and unrealized next step of the Jamaica Committee’s project. Despite being clear that colonial rule must change in response to the violent suppression of the rebellion, and that such change would happen only through an exchange between metropolitan and colonial observers, neither Mill nor the committee explained what that change might look like.

Conclusion

In its political thought and campaign strategy, the Jamaica Committee reconstructed pre-rebellion Jamaican political culture and declared martial law to be unlawful. Shame helps to explain these arguments’ focus on systemic injustice and the requirement to involve Jamaican people as participants in the reform of post-rebellion colonial politics. Shame also explains the differences in argument and approach between Buxton, Harrison, and Mill, three key committee members. Finally, the committee used shame instrumentally, to persuade metropolitan audiences to join their cause. In its final statement of 1868, the committee evaluated whether it had achieved Mill’s three objectives that ranged beyond legal order: a judicial inquiry, settling the law in favor of liberty, justice, and humanity, and to arouse public opinion against oppression. The first objective had failed because of grand juries’ obduracy. The committee had achieved the second objective because Cockburn’s charge provided a “lasting barrier against the encroachment of martial law and its upholders on the rights and liberties of British subjects.” The charge contributed to removing Acts of the colonial legislature in Jamaica and all other colonies that gave the veneer of legitimacy to martial law. The third objective was obtained because a “great amount of sound public opinion has been called forth; and it is not unreasonable to think that this has contributed to the escape of the nation from any thing [*sic*] which could leave a stain on its humanity or honour in the suppression of the recent disturbances in Ireland.”⁸⁵ Perhaps Mill and the committee were putting on a brave face to confront successive legal defeats.

Yet, as Mill contended in his letter to Pratten, he was prepared to risk upsetting his constituents if his stance could shift even a minority of public opinion towards condemning Eyre and acknowledging the value of Jamaicans’ critique of misrule. Mill had a high estimation of the political capabilities and actions of freedpeople in Jamaica, particularly in the Underhill meetings. Eyre’s brutal suppression and

⁸⁵CW, 21: 433–6.

subsequent vilification of their political actions was a case of colonial misrule, which elicited both intellectual and emotional judgments of condemnation. The emotional dimension of Mill's theory pushed him to argue for reforms that would redeem colonial rule in the eyes of the metropole, Jamaica's colonized people, and humanity in general.

This article has offered a new perspective on the intellectual histories of the relationship between Britain's imperial metropole and Jamaica. If the global history of Britain in the nineteenth century is partly a history of the intellectual networks between metropole and colony, we must also consider emotional networks and whether these were congruent with, or ranged in different ways from, intellectual networks. And if the relationship between liberalism and empire produced a space for adaptation and transformation, then we need to consider what outcomes that space facilitated or blocked at moments of crisis across the nineteenth century. Moments of crisis, fertile for intellectual controversy, were also amenable to emotional concern, introspection, and imagination.

Acknowledgments. Funding from the AHRC and St Catherine's College, Oxford, supported my research for this article. My thanks to Brian Young for his intellectual guidance. Mark Hannam, Richard Huzzey, Peter Mandler, and Duncan Bell gave incisive and productive feedback on drafts of this piece. My thanks also to the journal's anonymous reviewers, and to Duncan Kelly, for their constructive comments. Thank you to the archivists and librarians in Jamaica and the United Kingdom who answered my queries and provided materials.

Cite this article: Richards JS (2022). Political Thought and the Emotion of Shame: John Stuart Mill and the Jamaica Committee during the Governor Eyre Controversy. *Modern Intellectual History* 1–21. <https://doi.org/10.1017/S1479244322000154>